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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 (SAN FRANCISCO DIVISION)

HUDSON SPECIALTY INSURANCE
 COMPANY, a Delaware Corporation,

 Plaintiff,

 vs.

 DATA EXCHANGE SYSTEMS, LLC, a
 California Limited Liability Company; and
 ERIC G. SWALLOW, an individual,

 Defendants.

Case No.: C05-04195 SC

**STIPULATION AND PROPOSED
 ORDER REGARDING DISMISSALS**

AND RELATED COUNTERCLAIM

Counsel for the parties in the above captioned action stipulate as follows:

That the cases pending before this Court, styled *Hudson Specialty Insurance Company, a Delaware Corporation, vs. Data Exchange Systems, LLC, a California Limited Liability Company; and Eric G. Swallow, an individual*, case number C05-04195 SC, including the

1 counter-claims for breach of contract and bad faith filed by *Data*
2 *Exchange System and Swallow* be dismissed with prejudice, effective
3 immediately.
4

5 IT IS SO STIPULATED.

6 Dated: November 28, 2006

7 GREENAN, PEFFER, SALLANDER & LALLY
8 LLP

9 By: 

10 James S. Greenan
11 Attorneys for Plaintiff
12 Hudson Specialty Insurance Company

13 Dated: November 28, 2006

14 LAW OFFICES OF WALLACE C. DOOLITTLE

15 By: 

16 Wallace C. Doolittle
17 Attorney for Data Exchange Systems, LLC
18 and Eric Swallow

19 ORDER

20 For good cause appearing and as requested by the parties in the foregoing stipulation, it is
21 ordered that:

22 That the cases pending before this Court, styled *Hudson Specialty Insurance Company, a*
23 *Delaware Corporation, vs. Data Exchange Systems, LLC, a California Limited Liability*
24 *Company; and Eric G. Swallow, an individual*, case number C05-04195 SC, including the
25 counter-claims for breach of contract and bad faith filed by *Data Exchange System and Swallow*
26 be dismissed with prejudice, effective immediately.

27 Dated: 11/29/06, 2006



Greenan,
Peffer,
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Lally LLP